



Case 035372-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Jon C. Taenzer, et al.
SERIAL NO.: 10/757,796
FILING DATE: January 13, 2004
TITLE: Earset Assembly
EXAMINER: Harvey, Dionne
ART UNIT: 2643

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450, on the date printed below:

Date: 6/21/05

Name: Annette Valdivia

Annette Valdivia

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION OF JON C. TAENZER

UNDER 37 CFR §1.131

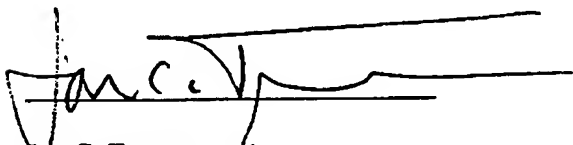
I, Jon C. Taenzer declare as follows:

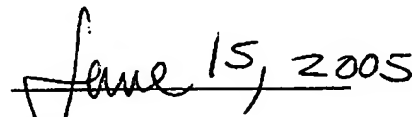
1. I am an inventor of the U.S. patent application identified above. I make this declaration in support of the application.
2. I was involved in the conception and reduction to practice of the invention disclosed in the application and claimed in at least the independent claims which are now in the application, namely Claims 1, 14, and 24.
3. Prior to September 17, 2002, I and my co-inventors conceived and reduced to practice the invention taught in the present patent application and claimed in at

least the independent claims which are now in the application, namely Claims 1, 14, and 24.

4. One embodiment of the invention which we conceived and reduced to practice we called the Model 880 earpiece, which was part of a project we called the 800 earpiece project.
5. Attached to this Declaration is a copy of page 84 from one of my laboratory notebooks concerning the Model 880 earpiece. The page is dated with a date which precedes September 17, 2002. The date and confidential information not relevant to the present patent application have been redacted. My notes state, "Went over the acoustic tests on 880 SLA." The acronym SLA meant stereolithographic assembly, which was a process for producing prototype devices from drawings. At the time I made this report, units had arrived for testing and we had completed acoustic validation testing. Since the results were good, in a meeting attended by the attendees indicated at the top of the page, I presented the results indicating that design goals had been met.
6. Attached to this Declaration is a copy of a page labeled "SitRep Meeting Work Sheet", which is a report of one of periodic meetings which my team held called Situation Report meetings in which we briefed each other on work progress. The page is dated with a date which precedes September 17, 2002 and follows the date of the laboratory notebook page identified in paragraph 5 above by about two weeks. The date and confidential information not relevant to the present patent application have been redacted. My notes state, "Completed full characterization acoustic testing of the one SLA 880 microphone and sound delivery system, will finish second this coming week (Andre.)" In this meeting I reiterated that we had achieved successful results from the first of the new Model 880 prototypes.

I, the undersigned, declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.


Jon C. Taenzer


Date

Project No. _____

Book No. _____

TITLE 880 mtg - 11:00From Page No. — Attendees: Don, Jan, Bill, Joseph, Neilan, T.

Went over the acoustic tests on 880 SA

CONFIDENTIAL

To Page

Witnessed & Understood by me,

Date

Invented by

Date

Recorded by

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